

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JPMORGAN CHASE BANK, N.A.,

Plaintiff,

V.

Case No. 1:22-cv-01621-JDW

CHARLIE JAVICE, OLIVIER AMAR,
CHARLIE JAVICE, in her capacity as Trustee
of CHARLIE JAVICE 2021 IRREVOCABLE
TRUST #1, CHARLIE JAVICE, in her capacity as
Trustee of CHARLIE JAVICE 2021
IRREVOCABLE TRUST #2, and CHARLIE
JAVICE in her capacity as Trustee of CHARLIE
JAVICE 2021 IRREVOCABLE TRUST #3,

Defendants.

**STIPULATION AND [PROPOSED] ORDER STAYING PLAINTIFF'S DEADLINE
TO INITIATE ARBITRATION PURSUANT TO THE JULY 10, 2023 ORDER**

WHEREAS, on December 22, 2022, Plaintiff/Counterclaim Defendant JPMorgan Chase Bank, N.A. (“JPMC”) filed its complaint (the “Complaint,” D.I. 1) in the above-captioned action;

WHEREAS, on February 27, 2023, Defendant/Counterclaim-Plaintiff Charlie Javice (“Ms. Javice”) filed her Answer, Defenses, and Counterclaims to the Complaint (D.I. 10);

WHEREAS, on March 3, 2023, JPMC filed a Motion to Dismiss and Compel Arbitration of Ms. Javice’s Counterclaims, or Alternatively to Stay Counterclaims in Favor of Arbitration (the “Motion to Dismiss,” D.I. 23);

WHEREAS, on July 10, 2023, the Court issued a Memorandum (D.I. 56) and Order (D.I. 57, the “July 10 Order”) dismissing Ms. Javice’s First, Second, Fourth, and Sixth Counterclaims (July 10 Order at ¶ 2) and staying Ms. Javice’s Third and Fifth Counterclaims (July 10 Order at ¶ 3);

WHEREAS, the July 10 Order requires Ms. Javice to initiate any arbitration in pursuit of her Third and Fifth Counterclaims on or before September 8, 2023 (July 10 Order at ¶ 4);

WHEREAS, on July 25, 2023, the United States filed a Motion to Intervene and Stay Discovery (D.I. 60) (the “Government’s Motion”) pending the resolution of criminal charges against Ms. Javice and Defendant Olivier Amar;

WHEREAS, on August 18, 2023, the Court issued an Order granting the Government’s Motion (the “Stay Order”);

WHEREAS, the Stay Order provides that “this case is STAYED pending resolution of the criminal matter in the United States District Court for the Southern District of New York” (Stay Order at 5);

WHEREAS, the undersigned parties wish to enter this stipulation and order to confirm their understanding that the deadline to initiate arbitration under the July 10 Order is stayed pending the duration of the Stay Order;

WHEREAS, the undersigned parties have solicited the position of the United States, which has reported that it does not have a position on this proposed stipulation, but that it would move to stay an arbitration initiated prior to the conclusion of the criminal case against Ms. Javice;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their undersigned counsel and subject to the approval of the Court, as follows:

1. Ms. Javice’s deadline to initiate arbitration pursuant to the July 10 Order is stayed.
2. The deadline otherwise applicable under Paragraph 4 of the July 10 Order is extended to no earlier than twenty-one days following such time as the stay is lifted.

DATED: August 30, 2023.

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SO ORDERED this __ day of _____, 2023

UNITED STATES DISTRICT JUDGE